

DISCUSSION OF PRESENTATION MATERIALS

Terms

“Management areas” are the two kinds of areas the Act directs the plan to identify, either 1) special, sensitive, or unique areas of marine and estuarine life and habitat; or 2) locations appropriate for uses or activities allowed under the Ocean Sanctuaries Act (renewable energy of appropriate scale, aquaculture, cables, pipelines, sand mining, other).

A “floating zone” is a set of performance standards that would apply to a category of infrastructure whose specific location cannot be determined now, such as cables to renewable energy facilities in federal waters, or potential future pipelines. When such a facility is proposed, the standards in the floating zone would govern the scope of the alternatives analysis and review for consistency with the Ocean Sanctuaries Act. This may be an appropriate way to allow flexibility for cables, aquaculture, small test/pilot renewables like wave and current, where size or impacts are minimal and/or logical placement of such facilities cannot be currently forecast.

“Ecological Valuation Index (EVI)” is a numerical unit-less representation of the ecological value of a particular area. The EVI is developed by evaluating species and habitats in the plan area against selected ecological criteria. The EVI represents the ecological component of “*special, sensitive or unique estuarine and marine life and habitats*” (SSUs) which will ultimately integrate ecological data with other considerations.

Goals, strategies, and outcomes

We will provide an overview of all goals, strategies and outcomes, but would like to focus on **stewardship/use**, because the siting of use management areas has the most significant potential effect on other values/requirements of the Act.

The goals, strategies and outcomes were developed based on: our analysis of the Act, in particular the “Oceans 15” (the 15 requirements in Section 2 of the Act); review of our current state of knowledge of the marine environment and its uses; review of other law, regulation and policy relevant to the marine environment and its uses; consideration of the governance framework recommendations; and public and stakeholder comment, including comments from previous Ocean Advisory Commission meetings.

Oceans 15 – The Oceans 15 include directives that are specific (“identify and protect special, sensitive and unique areas”) and more general (“respect the interdependence of ecosystems”). The ocean plan must be responsive to these 15 requirements and, in doing so, must organize

and focus these requirements in a manner that acknowledges their varying specificity. Thus, some of the Act's 15 requirements are reflected in the goals, some as elements of strategies, and some as outcomes. Importantly, the goals, strategies and outcomes also reflect the constraints imposed by the deadlines established by the Act (June 30 draft plan/December 31 promulgated plan) – in the time allotted, we have to be selective in the scope of our work. By establishing three broad goals, with four related and specific outcomes, we can focus on developing materials that are both responsive to all 15 requirements and that significantly advance the ocean management 'state of the art.'

Goals – The three goals we have established – integrated ocean management, good stewardship, and adaptive foundation – reflect the highest priority, basic elements needed to build a first generation ocean plan that is responsive to the Act and provides the basis for ongoing work. For each of the goals, we have identified an outcome that we want the ocean plan to achieve, and to get from the goal to the outcome we have developed strategies. The goals represent what EEA considers to be the most important things that the first ocean plan needs to address, based on our review of all the information and materials we're working with.

Strategies – The strategies describe the information and process needed in response to a particular goal and to achieve a desired outcome. Certain strategies relate to how various non-spatial elements of the plan will be achieved, such as the plan for the plan. Other strategies include 'decision guidance' (which also reflect direction/requirements of the Act and public/stakeholder input), which help guide how we make planning decisions regarding the spatial component of the plan (i.e. location of management areas). For example, the Act requires that the ocean plan "minimize negative economic impacts on commercial and recreational fishing." The strategy for stewardship/use incorporates that requirement as decision guidance by stating that the ocean plan should "minimize conflict with commercial fishing by siting use areas outside commercial fishing areas of significant effort and value, and minimize impacts to recreational fishing" Note that this also addresses one of the requirements of the Act, that the plan "reflect the importance of the waters of the commonwealth to its citizens who derive livelihoods and recreational benefits from fishing."

Outcomes – Each of the outcomes represents a concrete product. Taken together with comment, data, and analysis developed through the planning process, the outcomes will define the first generation ocean plan. Three of the four outcomes reflect the three requirements for tangible products in the Act: develop an integrated management plan, identify and protect special areas, and identify appropriate areas for uses in Ocean Sanctuaries. The fourth outcome recognizes that much more data and information is needed to address all of the issues identified through the planning process. An important piece of the first plan, then, is the outline for ongoing work, identification of priority data needs, etc., in the form of an adaptive 'plan for the plan.'

Process for using the strategies in the identification of management areas –

After we have mapped the baseline environmental conditions (Ecological Valuation Index – see attached graphic), and overlaid existing uses (navigation, fisheries, etc) and areas already controlled by regulation (critical habitat, endangered habitat, Ocean Sanctuaries Act, other state/federal regulations), we will have a baseline map of environmental and use conditions that illustrates areas that should not be considered for new uses (due to basic conflicts: shipping lanes, for example), and areas that should be considered for environmental protection (areas of high ecological value).

We will then review potential and/or desired new uses contemplated by the Act and allowable in Ocean Sanctuaries (aquaculture, renewable energy, sand mining, cables, pipelines, other) to evaluate each use's compatibility with other existing uses and with specific environmental resources. For example, tidal energy facilities could be incompatible with mobile fishing gear, but could be compatible with recreational hook and line fishing; tidal energy facilities could be compatible with sandy marine habitat but not with eel-grass. The result of this compatibility analysis will be a generic definition of what uses could be located in what areas with a minimum of conflict. In combination with the baseline map of environmental and use conditions, the strategies – and, particularly, the decision guidance within the stewardship/use strategy – then help us determine where use areas should be located, consistent with the Act.

However, while the strategies provide guidance, and some planning 'rules of the road,' they are not a fixed formula that leads directly to the identification of management areas. As we develop maps for the plan, we will be using best professional judgment, and consultation with the OAC, as we apply the strategies to real world conditions. We expect to bring the results to the OAC in late April/early May to review and discuss the planning decisions made based on the strategies.